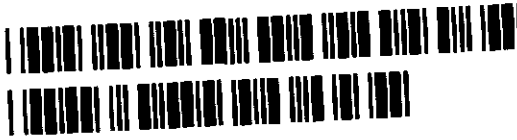


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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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11-CV-00265-ORD

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DAVID MUNGAI NJENGA,

Petitioner,

v.

NATHALIE ASHER, *et al.*,

Respondents.

Case No. C11-265-JLR

ORDER GRANTING MOTION  
FOR STAY OF BRIEFING  
UNTIL ISSUANCE OF  
MANDATE IN *DIOUF V.*  
*NAPOLITANO*

The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondents' Motion for Stay of Briefing Pending Issuance of Mandate in *Diouf v. Napolitano*, the Report and Recommendation of the Honorable Brian A. Tsuchida, United States Magistrate Judge, and ~~any~~ <sup>the</sup> objections <sup>thereto</sup> ~~or responses to that~~, and the remaining record, finds and Orders as follows:

1. The Court adopts the Report and Recommendation.
2. Respondents' Motion for Stay of Briefing Pending Issuance of Mandate in *Diouf v.*


*Napolitano*, Dkt. No. 13, is GRANTED. Respondents shall file their Return and Status Report no later than 45 days after the Ninth Circuit issues its mandate in *Diouf v. Napolitano* ~~May 30, 2011~~.

3. The Clerk shall remove any pending motions from the motion calendar until further notice by the Court.

ORDER GRANTING MOTION FOR STAY OF BRIEFING UNTIL  
ISSUANCE OF MANDATE IN *DIOUF V. NAPOLITANO* - 1

- 1 4. Respondents shall notify the Court once the mandate in *Diouf* issues.
- 2 5. The Clerk shall send a copy of this Order to the parties and to Judge Tsuchida.

3 DATED this 22<sup>ND</sup> day of April, 2011.

4   
5 JAMES L. ROBART  
6 United States District Judge

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